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May 23, 2024

**By ECF**

Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
Court Room 21B  
New York, NY 10007-1312

Re: *Edmar Financial Company, LLC et al v. Currenex, Inc. et al*, Case No. 21-cv-06598

Dear Judge Kaplan:

We are counsel for Plaintiffs. We respectfully submit this memorandum of law in support of their unopposed motion for leave to file under seal Plaintiffs' letter motion to compel Defendant HC Technologies, LLC's ("HC Tech") and non-party Global Trading Systems ("GTS") to produce certain documents relating to the sale of HC Tech's foreign exchange assets to GTS (the "Letter Motion"). Pursuant to the Court's Individual Rules, Plaintiffs intend to both: (1) file a public version of Plaintiffs' Letter Motion with proposed redactions; and (2) file an unredacted version under seal with the redacted language highlighted.

On October 18, 2023, the parties entered into a protective order that authorizes that the parties to file under seal any discovery materials marked "Confidential" or "Highly Confidential." ECF No. 113 at 20. This includes discovery materials produced and designated as "Confidential" or "Highly Confidential" by a non-party to this case. *See id.* at 28 ("If a Non-Party provides discovery to any Party in connection with this Action, the provisions of this Stipulation and Order shall apply to such discovery as if such discovery were being provided by a Party"). On December 28, 2023, non-party GTS produced documents to Plaintiffs in response to a Rule 45 subpoena and designated those documents as "Highly Confidential."

Because GTS has designated its production as Highly Confidential, Plaintiffs seek permission to file the Letter Motion under seal and to publicly file a version of the Letter Motion that redacts specific references to the contents of GTS's production, including references to the purchase

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price of HC Tech’s foreign exchange assets and other sensitive information relating to the transaction. Plaintiffs take no position on the sensitivity of the information contained in GTS’s production, but note that GTS can be expected to argue that its documents contain confidential and commercially sensitive business and financial information. *See In re B&C KB Holding GmbH*, 2023 WL 2021299, at \*1 (S.D.N.Y. Feb. 14, 2023) (“[C]ourts in this District routinely permit parties to seal or redact commercially sensitive information in order to protect confidential business and financial information.” (collecting cases)).

Respectfully submitted,

/s/ Daniel L. Brockett

Daniel L. Brockett

cc: Counsel of Record